

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JAMES G. RIGBY

Plaintiff,

vs.

FIA CARD SERVICES, N.A.

Defendant.

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CIVIL ACTION 11-373-KD-M

ORDER

After conferring with counsel this date by telephone, this action is hereby scheduled for a settlement conference on **November 13, 2013 at 9:00 a.m.** The parties and their counsel are to be personally present for this settlement conference. In the case of a governmental or corporate entity, an authorized representative of the governmental entity or the corporation who has final settlement authority is to be present. Failure of any of the parties to appear will result in either dismissal or default being entered against them.

In preparation for and in order to facilitate the scheduled settlement conference, counsel for each party is to submit to the undersigned in chambers by **12:00 p.m. on November 12, 2013**, either by mail, hand delivery, fax (251-694-4319), or email

(anna_lundy@alsd.uscourts.gov), a confidential settlement statement which includes the following:

1. A brief statement of the facts giving rise to this action;
2. A brief analysis of the key issues involved in the litigation;
3. A description of the strongest and weakest points in your case and in your opponent's case, both legal and factual;
4. The major obstacle as you perceive it to settlement;
5. The total estimated cost to your client to continue this action beyond the settlement conference date, including the cost of trial through appeal;
6. The history and status of any settlement negotiations, including the last settlement proposal made by you and to you;
7. A settlement proposal that you believe would be fair;
8. A settlement proposal that you would be willing to make in order to conclude the matter and stop the expense of litigation; and
9. The name of each person participating in or attending the settlement conference on your behalf.

All communications made in connection with the settlement conference are confidential and will not be disclosed to anyone,

unless otherwise agreed to by the parties. The confidential settlement statements and any documents requested and submitted for the settlement conference will be maintained in chambers and will be destroyed after the conference.

DONE this 6th day of November, 2013.

s/BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE